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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/450,890 11/29/99 MAKINSON

D SCH-52

EXAMINER

MMC2/0209

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ART UNIT

PAPER NUMBER

2858  
DATE MAILED:

02/09/01

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

<b>Office Action Summary</b>	Application No. 09/450,890	Applicant(s) MAKINSON ET AL.	
	Examiner VINH P NGUYEN	Art Unit 2858	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 26 May 2000.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-79 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-79 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. § 119**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

**Attachment(s)**

- |   |  |
|---|--|
| 15) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 18) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 16) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                           | 19) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 17) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>4-5</u> . | 20) <input type="checkbox"/> Other: _____                                    |

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1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.
2. Claims 3-11,13-15,18,21,24,26,28-29,33-52,57-79 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 3, it is unclear what "a tapered posts" represents. Are they shown in any of drawings? In claims 4 and 44, it is unclear what "weldments" represent. Are they shown in any of drawings? In claims 5, 21, 29,57 it is unclear what "a Hall effect sensor" represents. Is it shown in any of drawings? In claims 6, 28,37,40,48,58,67,75 it is unclear what " a light source" and "a light pipe" represent. Are they shown in any of drawings? In claims 7,26,34,38,47,59,65,74 it is unclear what "an antenna" represents. Is it shown in any of drawings? In claims 8 and 61, it is unclear what "a chasis" represents. Is it shown in any of drawings? In claims 9, it is unclear what "a circuit board" represents. Is it shown in any of drawings? In claims 11, 61,it is unclear what "a mechanical meter display" represents. Is it shown in any of drawings? In claims 13, 49,it is unclear what "a main circuit" represents. Is it shown in any of drawings? In claims 14,50,63,77 it is unclear what "a nonremovable bridge clip" represents. Is it shown in any of drawings? In claim 18, it is unclear what "a snap fit mounting" represents. Is it shown in any of drawings? In claims 24,33,62,76, it is unclear what "a main circuit" and "non-removable bridge clip" represents. Are they shown in any of drawings? In

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claims 19,42, 66,69, it is unclear what "a common power supply", "a Hall effect sensor" represent. Are they shown in any of drawings? In claim 42, it is unclear what is meant by "electrical sensing interaction therewith" and what are the parameters in which the Hall effect sensor detects. In claims 43 and 70, it is unclear what "a mechanical based meter display" represent. Is it shown in any of drawings? In claim 52, it is unclear what "additional output means" represents. Is it shown in any of drawings?

The dependent claims not specifically address share the same indefiniteness as they depend from rejected base claims.

3. Claims are 34-52 and 65-79 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

It appears that the specification does not provide sufficient details showing how the antenna is used for transmitting metrology data from at least one of the boards and it does not provide sufficient details showing how the Hall effect sensor is used for electrical sensing interaction and what are the parameters in which the Hall effect sensor detects.

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-4, 10-12, 16-20, 22-23, 25, 27, 30-32, 34-36, 38-39, 41, 53-56 and 60-61 are rejected under 35 U.S.C. 102(b) as being anticipated by Benbow (Pat # 4,491,789 cited by Applicants).


As to claims 1-4, 10-12, 16-20, 22-23, 25, 27, 30-32, 34-36, 38-39, 41, 53-56, <sup>and 61,</sup> 60, Benbow disclose an electrical energy meter having an encloseable casing (34), electrical connection spades (24, 26) extending through a base plate (35), a metrology board (14, 18, 16, 20, 12) and electrically connected to the spades (24, 26), a circuit board (48, 54) electrically connected to the metrology board (14, 16, 18, 20, 12) for providing selected customized features for the meter beyond the metrology board electricity consumption signals, an electronic meter display (32) and a mechanical meter display (22). It appears that the use of resilient connectors for connection the board to the spades are well known in the art. Furthermore, it also appears that the device of Benbow inherently has mating posts and holes associated with the base plate (35) for mutual physical connection and the base plate would also have taper posts and the board defines holes therein to mate with the tapered post such that the board is supported on the base plate (35). It also appears that the device of Benbow inherently has common power supply for providing power to both the metrology board and the circuit board.

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6. Since claims 38-79 are indefinite, no art has been applied to those instant claims.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to VINH P. NGUYEN whose telephone number is (703) 305-4914.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4900.

  
VINH P. NGUYEN  
PRIMARY EXAMINER  
ART UNIT 2858  
02/07/2001